

## Message Text

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ACTION NEA-10

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PM-05 H-02 INR-10 L-03 NSAE-00 NSC-05 PA-02  
SP-02 SS-15 USIA-15 /101 W  
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R 161252Z FEB 78  
FM AMEMBASSY TEHRAN  
TO SECSTATE WASHDC 7021  
INFO USMISSION GENEVA  
AMEMBASSY LONDON

UNCLAS TEHRAN 1702

E.O. 11652: N/A  
TAGS: IR SHUM  
SUBJ: GOI PROPOSES LEGISLATION TO MITIGATE PRISON TERMS

1. GOI CABINET ON FEB 15 SUBMITTED BILL TO SENATE PROVIDING FOR REDUCTION IN THE LENGTH OF PRISON TERMS CURRENTLY BEING SERVED BY PRISONERS CONVICTED IN CIVILIAN OR MILITARY COURTS. THE BILL, CHARACTERIZED IN PRESS AS "ROYAL AMNESTY ON THE OCCASION OF THE 100TH ANNIVERSARY OF THE BIRTH OF REZA SHAH", CONTAINS 8 SECTIONS COVERING VARIOUS TYPES OF SENTENCE. THE LAW, WHEN ADOPTED, WILL BE IN EFFECT THROUGH THE END OF THE NEXT IRANIAN YEAR (MARCH 20, 1979).

2. MAIN PROVISIONS OF BILL REPORTEDLY INCLUDE REDUCTION OF LIFE SENTENCES TO 15 YEARS OR, WITH CONSENT OF AN INJURED PARTY, TO 10 YEARS. OTHER CRIMINAL IMPRISONMENT, IN THE ABSENCE OF AN INJURED PARTY OR WITH THE CONSENT OF THE INJURED PARTY, SHALL BE COMMUTED BY ONE HALF OR IF CONSENT IS WITHHELD BY THE INJURED PARTY, SENTENCE WILL BE REDUCED BY ONE THIRD. MISDEMEANOR AND REFORMATORY TERMS OF MORE THAN 3 MONTHS WILL BE REDUCED BY TWO THIRDS OR TWO FIFTHS DEPENDING UPON CONSENT OF INJURED PARTY. INDIVIDUALS SUBJECT TO "COMPULSORY RESIDENCE", SENTENCES OF LESS  
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THAN THREE MONTHS , AND FINES OF UP 100,000 RIALS WILL BE GRANTED TOTAL AMNESTY.

4. SEPARATE SECTION OF BILL PROVIDES AUTHORIZATION FOR MINISTRY OF WAR TO SUBMIT TO THE SHAH LISTS OF PRISONERS CONVICTED BY MILITARY TRIBUNALS, WITH RECOMMENDATIONS FOR PARTIAL OR COMPLETE MITIGATION OF

SENTENCE.

5. THE BILL PROPOSES THE XCLUSION OF THE FOLLOWING  
OFFENSES FROM THE AMNESTY: BRIBERY, EMBEZZLEMENT,  
ABDUCTION, ILLEGAL MIDICAL AND PHARMACEUTICAL PRACTICES,  
FOOD ADULTERATION, HOARDING, SMUGGLING, OVERCHARGING,  
ASSAULT WITH ACID, TRAFFIC PENALTIES AND NARCOTICS OFFENSES.

6. ACCORDING TO SENATE SOURCE, BILL HAS BEEN SUBMITTED  
URGENTLY TO SENATE PRIOR TO MAJLIS, CONTRARY TO NORMAL  
PRACTICE, SINCE LOWER HOUSE IS CURRENTLY FULLY OCCUPIED  
WITH BUDGET DEBATE. GOVT HOPES TO HAVE ACTION  
COMPLETED BY BOTH HOUSES BY MARCH 6, IN TIME TO RELEASE  
PRISONERS BEFORE IRANIAN NEW YEAR ON MARCH 31.

7. UNOFFICIAL TRANSLATION OF BILL BEING POUCHED NEA/IRN.

8. COMMENT: WE UNDERSTAND OFFENSES EXCLUDED FROM BILL  
(PARA 5 ABOVE) ARE CONSIDERED BY GOI TO BE PARTICULARLY  
INFORMAL AND NOT WORTHY OF LENIENCY SINCE THEY ARE "CRIMES  
AGAINST SOCIETY" (AS OPPOSED TO INDIVIDUAL ACTIONS SUCH AS  
MURDER) WHICH HAVE RECEIVED APPROPRIATE PUNISHMENT FROM THE  
COURTS. AN IMPORTANT FEATURE OF LEGISLATION IN HUMAN RIGHTS  
CONTEXT IS POTENTIAL LEGAL RATIONAL FOR REDUCTION OF  
SENTENCES HANDED DOWN BY MILITARY COURTS IN ANTI-SECURITY  
CASES.

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## Message Attributes

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**Channel Indicators:** n/a  
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